IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO. 3046 OF 2007

Shri Sachin Prakash Sonawane. ... Applicant.

V/s.

The State of Maharashtra. ... Respondent.

K.S.Patil for the applicant.

K.V.Saste, APP for the State.

CORAM: V.C.DAGA, J.

DATED: 27th September 2007.

P.C.:

. Heard learned counsel for the applicant and learned A.P.P. for the State.

2. The applicant is seeking bail in connection with CR.No.19/2007 registered with Wadgaon Maval Police Station, district- Pune for the offences punishable under sections 302, 201, 498(A) read with section 34 of Indian Penal Code.

3. Admittedly, the applicant was not at home when the act complained of took place. Learned counsel for the applicant submits that prima facie; the applicability of section 498 is also doubtful. The

learned A.P.P., appearing for the State opposed the submission made by learned counsel for the applicant, however, could not justify continuation of jail custody of the present applicant. Considering the absence of the applicant at the time of alleged incident and the allegations made against him, I am inclined to grant bail to the applicant, subject to the following conditions:

(a) The applicant, arrested in connection with CR.No.19/2007 registered with Wadgaond Maval Police Station, district- Pune shall be enlarged on bail in the sum of Rs.25,000/- with one or two sureties to make up the said amount.

(b) The applicant shall report to the concerned Police Station once in a week, i.e. on every Friday between 3.00 to 5.00 p.m. till conclusion of the trial.

(c) The order of bail will be given effect only after the applicant furnishes to the investigating officer the details about his place of residence and address where he proposes to stay after he is enlarged on bail. The applicant will not change his residential address thereafter till the conclusion of

trial without prior intimation to the investigating officer.

(d) The applicant shall not directly or indirectly, make any inducement or threat or pressurise any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

(e) The applicant shall co-operate with the investigating agency for disposal of the case. It is needless to mention that breach of any of the conditions by the applicant shall result in cancellation of bail.

(f) Any observation made in this order shall not be construed as finding or expression on merits of the case at the time of trial.

4. Application stands disposed of accordingly.

JUDGE